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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/722,295

11/25/2003

Young-Hun Seo

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EXAMINER

CHEN, JACK S J

ART UNIT

PAPER NUMBER

2813

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/722,295

Applicant(s)

SEO, YOUNG-HUN

Examiner

Jack Chen

Art Unit

2813

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In response to the communication filed on November 3, 2006, claims 1-6 and 8-22 are active in this application.

Specification

1. The amendment filed November 3, 2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: Re claim 1, the phrase "along substantially the entire thickness of the polish stop layer" is not supported by the original specification (the instant specification only provides the upper corners of the silicon nitride layer are rounded, see paragraphs 31 and 33 for more details).

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Re

Art Unit: 2813

claim 1, the phrase "along substantially the entire thickness of the polish stop layer" is not supported by the original specification (the instant specification only provides the upper corners of the silicon nitride layer are rounded, see paragraphs 31 and 33 for more details). The remaining claims 2-6 and 8-22 are rejected for depending from the above rejected claim.

For the purposes of patentability, these claims will be interpreted as best understood.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 and 8-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al., U.S./6,884,725 B2 in view of Bamnolker et al., U.S./6,890,859 B1.

Moore et al. (figs. 10-11) discloses a method of forming a trench in a semiconductor device, which comprises forming a polish stop layer 16a (fig. 10, in this case, the lower portion of the layer 16a is considered as the polish stop layer, i.e., 4/5 of layer 16a) or 16b (fig. 11, in this case, the lower portion of the layer 16b is considered as the polish stop layer, i.e., 9/10 of layer 16b) on a semiconductor substrate 12; forming an anti-reflection coating 16a (fig. 10, in this case, the upper portion of the layer 16a is considered as the anti-reflection coating, i.e., 1/5 of layer 16a) or 16b (fig. 11, in this case, the upper portion of the layer 16b is considered as the anti-reflection coating, i.e., 1/10 of layer 16b) on the polish stop layer [note: silicon nitride is inherently an anti-reflection coating, see U.S./6,884,733 B1, claim 2 as evidence]; selectively

Art Unit: 2813

etching the anti-reflection coating to form an anti-reflection coating pattern (figs. 10 or 11); etching the polish stop layer and etching the semiconductor substrate to such that ends 50 (fig. 10) or 60 (fig. 11) of the polish stop layer adjacent to the trench are rounded and inherently shows that the ends of this layer are rounded along substantially the entire thickness of the polish stop layer since the etching condition of the instant claimed invention is the same as the applied prior art, i.e., using the same etchants for etching the same material, etc.; and a trench 20 has sloped sidewalls (i.e., the top corner of the trench; further in this regard, the trench inherently has some surface roughness that provides sloped sidewalls) is formed to a predetermined depth; and forming an insulation layer 28 (fig. 6) that fills the trench, see figs. 1-14 and cols. 1-8 for more detail.

Moore et al. (Figs. 12-14) also discloses a method of forming a trench in a semiconductor device, which comprises forming a polish stop layer 72 (fig. 12) on a semiconductor substrate 12; forming an anti-reflection coating 70 (fig. 12) on the polish stop layer [note: silicon oxynitride is inherently an anti-reflection coating, see U.S./6,884,733 B1, claim 2 as evidence]; selectively etching the anti-reflection coating to form an anti-reflection coating pattern (fig. 13); etching the polish stop layer and etching the semiconductor substrate to a predetermined depth to form a trench 20 such that ends of the polish stop layer adjacent to the trench are rounded (fig. 14) and the trench have sloped sidewalls (i.e., the top corner of the trench 20); and forming an insulation layer 28 (fig. 6) that fills the trench, see figs. 1-14 and cols. 1-8 for more detail.

Re claims 2, 8 and 15, wherein etching is performed such that following the injection of one of argon, CF₄, CHF₃, plasma is created and dry etching is performed (col. 4, line 47 to col. 5, line 51).

Art Unit: 2813

Re claims 3, 9 and 16, wherein the etching is performed by injecting one of at most 60sccm of CHF₃ gas, at most 60sccm of CF₄ gas, at most 30sccm of O₂ gas, at most 60sccm of HeO₂ gas, and at most 200sccm of Ar gas (i.e. using 10-100 sccm argon, col. 4, lines 50-52).

Re claims 4, 10 and 17, wherein 50-500W of power is applied to generate plasma in a state where one of CHF₃, CF₄, O₂, HeO₂, and Ar is injected (i.e., using Ar at about 200 W; see col. 4, lines 47-60).

Re claim 6, wherein an area of the polish stop layer exposed through the antireflection coating pattern is etched to form the trench (figs. 10-14), and ends of the anti-reflection coating pattern are also etched such that the ends of the anti-reflection coating are rounded (figs. 10, 11 and 14).

Re claims 12 and 14 wherein the polish stop layer 16/16a/16b (figs. 1, 10-11) is deposited to about 1000 angstroms (col. 1, lines 55-58).

Re claim 13, wherein the polish stop layer is made of a material (i.e., silicon nitride, col. 1, lines 53-58) that is more slowly polished than insulation material (fig. 6, oxide 28) of the insulation layer.

Re claim 19, wherein during forming an insulation layer that fills the trench, following the formation of the insulation layer to cover the polish stop layer and inner walls of the trench, CMP is performed on the insulation layer until the polish stop layer is exposed (figs. 6-7; col. 2, lines 24-35).

Re claim 20, wherein prior to forming the insulation layer 28 (fig. 6), a liner oxidation layer 24 (see figs. 5 and 10-11) is formed on the trench and the polish stop layer, then the

Art Unit: 2813

insulation layer is formed on the liner oxidation layer such that the trench is fill with a material forming the insulation layer (i.e. oxide, fig. 6).

Re claim 21, further comprises depositing a pad oxidation layer 14 (fig. 10 or 12) on the semiconductor substrate, wherein the polish stop layer is deposited on the pad oxidation layer (fig. 10 or 12).

Re claim 22, wherein etching the polish stop layer and the semiconductor substrate further comprises etching the pad oxidation layer (figs. 10-14).

Moore et al. disclosed in above; however, Moore is silent to use organic material for anti-reflection coating.

In this regard, using organic material for anti-reflection coating has been known in the art for reducing light scattering back into the photoresist, etc. The selection of a known material based on its suitability for its intended use supported a prima facie obviousness determination in *Sinclair & Carroll Co., Inc. v. Interchemical Corp.*, 325 U.S. 327, 65 USPQ 297 (1945).

"Reading a list and selecting a known compound to meet known requirements is no more ingenious than selecting the last piece to put in the last opening in a jig - saw puzzle." 65 USPQ at 301.).

Bamnlker et al. teaches a method for forming semiconductor device, which comprises using either organic or inorganic material for anti-reflection coating 32 (fig. 6, col. 4, lines 1-25); Bamnlker et al. further teaches using the pressure environment of about 10 mTorr (see table 1) during etching the polish stop layer 30 and the semiconductor substrate 26, see figs. 1-7 and cols. 1-12 for more details.

Therefore, the subject matter as a whole would have been obvious to one having ordinary skill in the art at the time the invention was made to use either organic or inorganic material for the ARC and using the pressure range as taught by Bamnolker et al. in the method of Moore et al. (i.e., replace layer 70 or 16a/16b with organic ARC) in order to form the trench that reduces light scattering back into the photoresist, minimizes standing wave effects, etc. Further in this regard, the specification contains no disclosure of either the critical nature of the claimed process/arrangement (i.e. –using organic material for ARC) or any unexpected results arising therefrom. Where patentability is said to be based upon particular chosen limitations or upon another variable recited in a claim, the Applicant must show that the chosen limitations are critical. *In re Woodruff*, 919 F.2d 1575, 1578 (Fed. Cir. 1990).

Furthermore, with respect to claims 5, 11 and 18, the claimed ranges of pressure in the etching step, absent evidence of disclosure of criticality for the range giving unexpected results are considered to involve routine optimization while has been held to be within the level of ordinary skill in the art. As noted in *In re Aller* 105 USPQ233, 255 (CCPA 1955), the selection of reaction parameters such as pressure, temperature and concentration would have been obvious. *See also In re Waite* 77 USPQ 586 (CCPA 1948); *In re Scherl* 70 USPQ 204 (CCPA 1946); *In re Irmischer* 66 USPQ 314 (CCPA 1945); *In re Norman* 66 USPQ 308 (CCPA 1945); *In re Swenson* 56 USPQ 372 (CCPA 1942); *In re Sola* 25 USPQ 433 (CCPA 1935); *In re Dreyfus* 24 USPQ 52 (CCPA 1934).

Note: Applicant has admitted that the etching chemistry as recited in claims 2-4, 8-10 and 15-17 are well-known in the art.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Chen whose telephone number is (571)272-1689. The examiner can normally be reached on Monday-Friday (9:00am-6:30pm) alternate Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl W. Whitehead can be reached on (571)272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2813

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jack Chen
Primary Examiner
Art Unit 2813

January 17, 2007